

<i>SERFF Tracking Number:</i>	<i>ACEH-125524485</i>	<i>State:</i>	<i>Arkansas</i>
<i>First Filing Company:</i>	<i>ACE American Insurance Company, ...</i>	<i>State Tracking Number:</i>	<i>EFT \$50</i>
<i>Company Tracking Number:</i>	<i>08-GL-2007518</i>		
<i>TOI:</i>	<i>17.0 Other Liability - Claims Made/Occurrence</i>	<i>Sub-TOI:</i>	<i>17.0001 Commercial General Liability</i>
<i>Product Name:</i>	<i>08-GL-2007518</i>		
<i>Project Name/Number:</i>	<i>Excess Commerical General Liability TRIPRA/08-GL-2007518</i>		

Filing at a Glance

Companies: ACE American Insurance Company, ACE Indemnity Insurance Company		
Product Name: 08-GL-2007518	SERFF Tr Num: ACEH-125524485	State: Arkansas
TOI: 17.0 Other Liability - Claims	SERFF Status: Closed	State Tr Num: EFT \$50
Made/Occurrence		
Sub-TOI: 17.0001 Commercial General Liability Co	Tr Num: 08-GL-2007518	State Status: Fees verified and received
Filing Type: Form	Co Status:	Reviewer(s): Betty Montesi, Edith Roberts, Brittany Yielding
	Authors: Barb Niles, CPCU, ARP, Marlene Thomas, Bob Wolfrom	Disposition Date: 03/07/2008
	Date Submitted: 03/06/2008	Disposition Status: Approved
Effective Date Requested (New): 12/26/2007		Effective Date (New):
Effective Date Requested (Renewal): 12/26/2007		Effective Date (Renewal):
State Filing Description:		

General Information

Project Name: Excess Commerical General Liability TRIPRA	Status of Filing in Domicile: Pending
Project Number: 08-GL-2007518	Domicile Status Comments:
Reference Organization:	Reference Number:
Reference Title:	Advisory Org. Circular:
Filing Status Changed: 03/07/2008	
State Status Changed: 03/07/2008	Deemer Date:
Corresponding Filing Tracking Number:	
Filing Description:	
ACE is revising its form filing for this policy in order to comply with the Terrorism Risk Insurance Program Reauthorization Act (TRIPRA).	

We are proposing to make changes to our Excess Commercial Liability Insurance Policy- XS6u91c with this filing of the TRIPRA Disclosure, Cap on Losses and Exclusion of Certified Losses.

SERFF Tracking Number: ACEH-125524485 State: Arkansas
 First Filing Company: ACE American Insurance Company, ... State Tracking Number: EFT \$50
 Company Tracking Number: 08-GL-2007518
 TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability
 Product Name: 08-GL-2007518
 Project Name/Number: Excess Commerical General Liability TRIPRA/08-GL-2007518

Company and Contact

Filing Contact Information

Robert Wolfrom, CPCU, Regulatory Specialist robert.wolfrom@ace-ina.com
 436 Walnut Street (215) 640-5123 [Phone]
 Philadelphia, PA 19106 (215) 640-4986[FAX]

Filing Company Information

ACE American Insurance Company	CoCode: 22667	State of Domicile: Pennsylvania
PO Box 1000	Group Code: 626	Company Type:
436 Walnut Street		
Philadelphia, PA 19106	Group Name:	State ID Number:
(215) 640-5123 ext. [Phone]	FEIN Number: 95-2371728	

ACE Indemnity Insurance Company	CoCode: 10030	State of Domicile: Pennsylvania
PO Box 1000	Group Code: 626	Company Type:
436 Walnut Street		
Philadelphia, PA 19106	Group Name:	State ID Number:
(215) 640-5123 ext. [Phone]	FEIN Number: 92-0040526	

Filing Fees

Fee Required? Yes
 Fee Amount: \$50.00
 Retaliatory? No
 Fee Explanation:
 Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
ACE American Insurance Company	\$50.00	03/06/2008	18369551
ACE Indemnity Insurance Company	\$0.00	03/06/2008	

SERFF Tracking Number: *ACEH-125524485* *State:* *Arkansas*
First Filing Company: *ACE American Insurance Company, ...* *State Tracking Number:* *EFT \$50*
Company Tracking Number: *08-GL-2007518*
TOI: *17.0 Other Liability - Claims Made/Occurrence* *Sub-TOI:* *17.0001 Commercial General Liability*
Product Name: *08-GL-2007518*
Project Name/Number: *Excess Commerical General Liability TRIPRA/08-GL-2007518*

Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved	Edith Roberts	03/07/2008	03/07/2008

SERFF Tracking Number: ACEH-125524485 State: Arkansas
First Filing Company: ACE American Insurance Company, ... State Tracking Number: EFT \$50
Company Tracking Number: 08-GL-2007518
TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability
Product Name: 08-GL-2007518
Project Name/Number: Excess Commerical General Liability TRIPRA/08-GL-2007518

Disposition

Disposition Date: 03/07/2008

Effective Date (New):

Effective Date (Renewal):

Status: Approved

Comment:

Rate data does NOT apply to filing.

Overall Rate Information for Multiple Company Filings

Overall Percentage Rate Indicated For This Filing	0.000%
Overall Percentage Rate Impact For This Filing	0.000%
Effect of Rate Filing-Written Premium Change For This Program	\$0
Effect of Rate Filing - Number of Policyholders Affected	0

SERFF Tracking Number: ACEH-125524485 State: Arkansas

First Filing Company: ACE American Insurance Company, ... State Tracking Number: EFT \$50

Company Tracking Number: 08-GL-2007518

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability

Product Name: 08-GL-2007518

Project Name/Number: Excess Commerical General Liability TRIPRA/08-GL-2007518

Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Approved	Yes
Supporting Document	TRIPRA - AR	Approved	Yes
Supporting Document	Filing Memo	Approved	Yes
Supporting Document	Supporting Documents	Approved	Yes
Form	Disclosure Pursuant To Terrorism Risk Insurance Act	Approved	Yes
Form	Cap on Losses From Certified Acts of Terrorism	Approved	Yes
Form	Exclusion of Certified Acts of Terrorism	Approved	Yes
Form	Exclusion of Punitive Damages Related To A Certitied Act Of Terrorism	Approved	Yes
Form	Certified Acts of Terrorism Aggregate Limt: Cap On Losses From Certified Acts Of Terrorism	Approved	Yes
Form	Exclusion of Certified Nuclear, Biological, Chemical Or Radiological Acts Of Terrorism; Cap On Losses From Certified Acts Of Terrorism	Approved	Yes

SERFF Tracking Number: ACEH-125524485 State: Arkansas

First Filing Company: ACE American Insurance Company, ... State Tracking Number: EFT \$50

Company Tracking Number: 08-GL-2007518

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability

Product Name: 08-GL-2007518

Project Name/Number: Excess Commerical General Liability TRIPRA/08-GL-2007518

Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Approved	Disclosure Pursuant To Terrorism Risk Insurance Act	TRIA11b	(01/08)	Endorsement/Amendment/Conditions	New	0.00	TRIA11b.pdf
Approved	Cap on Losses From Certified Acts of Terrorism	ALL-23684	(01/08)	Endorsement/Amendment/Conditions	New	0.00	ALL23684_(cap on losses).pdf
Approved	Exclusion of Certified Acts of Terrorism	XS-14778a	(01/08)	Endorsement/Amendment/Conditions	New	0.00	XS14778A_(exclusion of certified acts of terrorism).pdf
Approved	Exclusion of Punitive Damages Related To A Certified Act Of Terrorism	XS-23494	(01/08)	Endorsement/Amendment/Conditions	New	0.00	XS14785a_(exclusion of punitive damages related to a certified act).pdf
Approved	Certified Acts of Terrorism Aggregate Limit: Cap On Losses From Certified Acts Of Terrorism	XS-23682	(01/08)	Endorsement/Amendment/Conditions	New	0.00	XS23682_X GL certified acts of terrorism aggregate, cap on losses [cg 21 80].pdf
Approved	Exclusion of Certified Nuclear, Biological, Chemical Or	XS-23683	(01/08)	Endorsement/Amendment/Conditions	New	0.00	XS23683_X GL exclusion of certified NBCR

SERFF Tracking Number:	ACEH-125524485	State:	Arkansas
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Company Tracking Number:	08-GL-2007518		
TOI:	17.0 Other Liability - Claims Made/Occurrence	Sub-TOI:	17.0001 Commercial General Liability
Product Name:	08-GL-2007518		
Project Name/Number:	Excess Commerical General Liability TRIPRA/08-GL-2007518		
	Radiological Acts		terrorism,
	Of Terrorism;		cap on
	Cap On Losses		losses
	From Certified		[CG2184].pd
	Acts Of Terrorism		f

DISCLOSURE PURSUANT TO TERRORISM RISK INSURANCE ACT

Named Insured			Endorsement Number
Policy Symbol	Policy Number	Policy Period to	Effective Date of Endorsement
Issued By (Name of Insurance Company)			

Insert the policy number. The remainder of the information is to be completed only when this endorsement is issued subsequent to the preparation of the policy.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

Disclosure Of Premium

In accordance with the federal Terrorism Risk Insurance Act, we are required to provide you with a notice disclosing the portion of your premium, if any, attributable to coverage for terrorist acts certified under the Terrorism Risk Insurance Act. The portion of your premium attributable to such coverage is shown in this endorsement or in the policy Declarations.

Disclosure Of Federal Participation In Payment Of Terrorism Losses

The United States Government, Department of the Treasury, will pay a share of terrorism losses insured under the federal program. The federal share equals 85% of that portion of the amount of such insured losses that exceeds the applicable insurer retention. However, if aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31), the Treasury shall not make any payment for any portion of the amount of such losses that exceeds \$100 billion.

Cap On Insurer Participation In Payment Of Terrorism Losses

If aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.

Terrorism Risk Insurance Act premium: \$_____.

Authorized Agent

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY

CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM

This endorsement modifies insurance provided under the following:

**EXCESS COMMERCIAL GENERAL LIABILITY POLICY
CONTRACTUAL INDEMNIFICATION COVERAGE PART**

If aggregate insured losses attributable to terrorist acts certified under the federal Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.

"Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act. The criteria contained in the Terrorism Risk Insurance Act for a "certified act of terrorism" include the following:

1. The act resulted in insured losses in excess of \$5 million in the aggregate, attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
2. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

EXCLUSION OF CERTIFIED ACTS OF TERRORISM

This endorsement modifies insurance provided under the following:

EXCESS COMMERCIAL GENERAL LIABILITY POLICY

A. The following exclusion is added:

This insurance does not apply to:

TERRORISM

"Any injury or damage" arising, directly or indirectly, out of a "certified act of terrorism".

B. The following definitions are added:

1. For the purposes of this endorsement, "any injury or damage" means any injury or damage covered under any Coverage Part to which this endorsement is applicable, and includes but is not limited to "bodily injury", "property damage", "personal and advertising injury", "injury" or "environmental damage" as may be defined in any applicable Coverage Part.
2. "Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act. The criteria contained in the Terrorism Risk Insurance Act for a "certified act of terrorism" include the following:
 - a. The act resulted in insured losses in excess of \$5 million in the aggregate, attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
 - b. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

EXCLUSION OF PUNITIVE DAMAGES RELATED TO A CERTIFIED ACT OF TERRORISM

This endorsement modifies insurance provided under the following:

EXCESS COMMERCIAL GENERAL LIABILITY POLICY

A. The following exclusion is added:

This insurance does not apply to:

TERRORISM PUNITIVE DAMAGES

Damages arising, directly or indirectly, out of a "certified act of terrorism" that are awarded as punitive damages.

B. The following definition is added:

"Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act. The criteria contained in the Terrorism Risk Insurance Act for a "certified act of terrorism" include the following:

1. The act resulted in insured losses in excess of \$5 million in the aggregate, attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
2. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

CERTIFIED ACTS OF TERRORISM AGGREGATE LIMIT; CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM

This endorsement modifies insurance provided under the following:

EXCESS COMMERCIAL GENERAL LIABILITY POLICY

SCHEDULE

Certified Acts Of Terrorism Aggregate Limit: \$
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

- A.** Coverage provided by this insurance for "bodily injury", "property damage" or "personal and advertising injury", arising out of a "certified act of terrorism", is subject to the Certified Acts Of Terrorism Aggregate Limit as described in Paragraph **B.** of this endorsement.
- B.** The following are added to **Section III – Limits Of Insurance:**
Subject to Paragraphs **2.** and **3.** of Section **III – Limits Of Insurance**, as applicable, the Certified Acts Of Terrorism Aggregate Limit shown in the Schedule of this endorsement is the most we will pay for all:
1. "Bodily injury" or "property damage" under Coverage **A;** and
 2. "Personal and advertising injury" under Coverage **B;**
- arising out of all "certified acts of terrorism".
- Paragraph **4.**, the Personal and Advertising Injury Limit, Paragraph **5.**, the Each Occurrence Limit, and Paragraph **6.**, the Damage To Premises Rented To You Limit, of Section **III – Limits Of Insurance** continue to apply to damages arising out of a "certified act of terrorism". Those limits will only be available if, and to the extent that, limits are available under the Certified Acts Of Terrorism Aggregate Limit.
- C.** The following definition is added:
- "Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act. The criteria contained in the Terrorism Risk Insurance Act for a "certified act of terrorism" include the following:
1. The act resulted in insured losses in excess of \$5 million in the aggregate, attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
 2. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.
- D.** If aggregate insured losses attributable to terrorist acts certified under the federal Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREULLY.

**EXCLUSION OF CERTIFIED NUCLEAR,
BIOLOGICAL, CHEMICAL OR RADIOLOGICAL ACTS
OF TERRORISM; CAP ON LOSSES FROM CERTIFIED
ACTS OF TERRORISM**

This endorsement modifies insurance provided under the following:

EXCESS COMMERCIAL GENERAL LIABILITY POLICY

A. The following exclusion is added:

This insurance does not apply to:

TERRORISM

"Any injury or damage" arising, directly or indirectly, out of a "certified act of terrorism". However, this exclusion applies only when one or more of the following are attributed to such act:

1. The terrorism involves the use, release or escape of nuclear materials, or directly or indirectly results in nuclear reaction or radiation or radioactive contamination; or
2. The terrorism is carried out by means of the dispersal or application of pathogenic or poisonous biological or chemical materials; or
3. Pathogenic or poisonous biological or chemical materials are released, and it appears that one purpose of the terrorism was to release such materials.

B. The following definitions are added:

1. For the purposes of this endorsement, "any injury or damage" means any injury or damage covered under the policy to which this endorsement is applicable, and includes but is not limited to "bodily injury", "property damage", or "personal and advertising injury" as may be defined in the policy.
2. "Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act. The criteria contained in the Terrorism Risk Insurance Act for a "certified act of terrorism" include the following:
 - a. The act resulted in insured losses in excess of \$5 million in the aggregate, attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
 - b. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

C. In the event of any incident of a "certified act of terrorism" that is not subject to this exclusion, coverage does not apply to any loss or damage that is otherwise excluded under this policy.

D. If aggregate insured losses attributable to terrorist acts certified under the federal Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.

<i>SERFF Tracking Number:</i>	<i>ACEH-125524485</i>	<i>State:</i>	<i>Arkansas</i>
<i>First Filing Company:</i>	<i>ACE American Insurance Company, ...</i>	<i>State Tracking Number:</i>	<i>EFT \$50</i>
<i>Company Tracking Number:</i>	<i>08-GL-2007518</i>		
<i>TOI:</i>	<i>17.0 Other Liability - Claims Made/Occurrence</i>	<i>Sub-TOI:</i>	<i>17.0001 Commercial General Liability</i>
<i>Product Name:</i>	<i>08-GL-2007518</i>		
<i>Project Name/Number:</i>	<i>Excess Commerical General Liability TRIPRA/08-GL-2007518</i>		

Rate Information

Rate data does NOT apply to filing.

SERFF Tracking Number: ACEH-125524485 State: Arkansas
 First Filing Company: ACE American Insurance Company, ... State Tracking Number: EFT \$50
 Company Tracking Number: 08-GL-2007518
 TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability
 Product Name: 08-GL-2007518
 Project Name/Number: Excess Commerical General Liability TRIPRA/08-GL-2007518

Supporting Document Schedules

Bypassed -Name:	Uniform Transmittal Document-Property & Casualty	Review Status:	Approved	03/07/2008
Bypass Reason:	n/a			
Comments:				
Satisfied -Name:	TRIPRA - AR	Review Status:	Approved	03/07/2008
Comments:				
Attachment:	TRIPRA Expedited Filing Form-AR.pdf			
Satisfied -Name:	Filing Memo	Review Status:	Approved	03/07/2008
Comments:				
Attachment:	Filing Memo_AR.pdf			
Satisfied -Name:	Supporting Documents	Review Status:	Approved	03/07/2008
Comments:				
Attachments:	Comparison ALL-23684 to XS-14777.pdf			
	Comparison TRIA 11 a & b.pdf			
	Comparison XS-14778 and a.pdf			
	Comparison XS-14785 and a.pdf			

**EXPEDITED FILING TRANSMITTAL DOCUMENT
FOR TERRORISM RISK INSURANCE FORMS AND PRICING**

This page applies to the following state(s) AR

Indicate Type of Filing
X Filing Related to <i>Certified Losses</i>
ف Filing Related to <i>Non-Certified Losses</i>
ف Filing Applicable to Both Certified and Non-Certified Losses

Department Use only

Company Name(s)	Domicile	NAIC #	FEIN #
ACE American Insurance Company	PA	22667	95-2371728
ACE Indemnity Insurance Company	PA	10030	92-0040526

Contact Info for Filer

Name and address of Filer(s)	Telephone #	FAX #	e-mail
Robert E. Wolfrom 436 Walnut Street, WBO4G Philadelphia, PA 19106	215.640.5123	215.640.4986	robert.wolfrom@ace-ina.com

Filing information

Line of Insurance (see attachment)	Other Liability; Commercial General Liability
Company Program Title (Marketing title) (if applicable)	
Filing Type ** see note below	Forms
This application is used with:	Excess Commercial General Liability Policy XS-6U91c
Effective Date Requested	12/26/2007
Filing date	03/06/2008
Company Tracking Number	08-GL-2007518
Date filing approved in domiciliary state, if applicable	

	<u>Component/Form Name</u> <u>/Description/Synopsis</u>	Form # or Rate Page Include edition date	Replacement Or withdrawn?	If replacement, give form # or rate page(s) it replaces	Previous State Filing Number, if required by state
01	Disclosure Pursuant To Terrorism Risk Insurance Act	TRIA 11b (01/08)	[X] Replacement [] Withdrawn [] Neither	TRIA 11a (2/06)	
02	Cap On Losses From Certified Acts Of Terrorism	ALL-23684 (01/08)	[X] Replacement [] Withdrawn [] Neither	XS-14777 (11/03)	
03	Exclusion Of Certified Acts Of Terrorism	XS-14778a (01/08)	[X] Replacement [] Withdrawn [] Neither	XS-14778 (11/03)	
04	Exclusion Of Punitive Damages Related to A Certified Act Of Terrorism	XS-14785a (01/08)	[X] Replacement [] Withdrawn [] Neither	XS-14785 (11/03)	
05	Certified Acts Of Terrorism Aggregate Limit; Cap On Losses From Certified Acts of Terrorism	XS-23682 (01/08)	[X] Replacement [] Withdrawn [] Neither		
06	Exclusion Of Certified Nuclear, Biological, Chemical Or Radiological Acts Of Terrorism; Cap On Losses From Certified Acts Of Terrorism	XS-23683 (01/08)	[X] Replacement [] Withdrawn [] Neither		

To be complete, a filing must include the following:

- A completed Expedited Filing Transmittal Document for each insurer or advisory organization.
- One copy of each endorsement, disclosure form or other policy language, unless the insurer has given an advisory organization authorization to file them on its behalf.

- A copy of the rates, rating systems and supporting documentation.
- The appropriate filing fees, if required
- A postage-paid, self-addressed envelope **large enough to accommodate the return.**

The insurer(s) submitting this filing certifies that it:

- ☐ Is in compliance with the terms of the Terrorism Risk Insurance Act, as amended, and the laws of this state; and
- ☐ Is in compliance with the requirements of the bulletin containing the voluntary expedited filing procedures.

Robert E. Wolfrom

Signature

____Robert E. Wolfrom____
Print Name:

Sr. Regulatory Specialist_____
Title:

EXCESS COMMERCIAL LIABILITY POLICY

Filing Memorandum - Arkansas

ACE is revising its form filing for this policy in order to comply with the Terrorism Risk Insurance Program Reauthorization Act (TRIPRA).

We are proposing to make the following changes to our Excess Commercial Liability Insurance Policy- XS6u91c.

Specifically we wish to file:

Revised Forms

TRIA11b (01/08)	DISCLOSURE PURSUANT TO TERRORISM RISK INSURANCE ACT
ALL-23684 (01/08)	CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM
XS-14778a (01/08)	EXCLUSION OF CERTIFIED ACTS OF TERRORISM
XS-23494 (01/08)	EXCLUSION OF PUNITIVE DAMAGES RELATED TO A CERTIFIED ACT OF TERRORISM

Note: All changes in the revised forms are to bring the form wording in compliance with the Reauthorization Act of 2007.

New Forms

XS-23682 (01/08)	CERTIFIED ACTS OF TERRORISM AGGREGATE LIMIT; CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM
XS-23683 (01/08)	EXCLUSION OF CERTIFIED NUCLEAR, BIOLOGICAL, CHEMICAL OR RADIOLOGICAL ACTS OF TERRORISM; CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM

Withdrawn Forms

XS-14777 11 03	CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM
XS-14778 11 03	EXCLUSION OF CERTIFIED ACTS OF TERRORISM
XS 14779 11 03	EXCEPTION TO TERRORISM EXCLUSION FOR CERTIFIED ACTS OF TERRORISM; CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM
XS 14780 11 03	REMOVAL OF TERRORISM EXCLUSION; CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM

XS 14781 11 03	LIMITED TERRORISM EXCLUSION (OTHER THAN CERTIFIED ACTS OF TERRORISM); CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM
XS 14782 11 03	NUCLEAR, BIOLOGICAL OR CHEMICAL TERRORISM EXCLUSION (OTHER THAN CERTIFIED ACTS OF TERRORISM) CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM
XS 14743 11 03	EXCLUSION OF CERTIFIED ACTS OF TERRORISM AND OTHER NUCLEAR, BIOLOGICAL OR CHEMICAL ACTS OF TERRORISM
XS 14784 11 03	EXCLUSION OF CERTIFIED ACTS OF TERRORISM AND OTHER ACTS OF TERRORISM
XS 14785 11 03	EXCLUSION OF PUNITIVE DAMAGES RELATED TO A CERTIFIED ACT OF TERRORISM
TR 16535 (10/04)	CONDITIONAL EXCLUSION OF TERRORISM (RELATING TO DISPOSITION OF FEDERAL TERRORISM RISK INSURANCE ACT OF 2002)
TR 16536 (10/04)	CONDITIONAL EXCLUSION OF TERRORISM INVOLVING NUCLEAR, BIOLOGICAL OR CHEMICAL TERRORISM (RELATING TO DISPOSITION OF FEDERAL TERRORISM RISK INSURANCE ACT OF 2002)
TR 16537 (10/04)	CONDITIONAL LIMITATION OF COVERAGE FOR TERRORISM ON AN ANNUAL AGGREGATE BASIS (RELATING TO DISPOSITION OF FEDERAL TERRORISM RISK INSURANCE ACT OF 2002)
TR 16538 (10/04)	EXCLUSION OF TERRORISM
TR 16539 (10/04)	EXCLUSION OF TERRORISM INVOLVING NUCLEAR, BIOLOGICAL OR CHEMICAL TERRORISM
TR 16540 (10/04)	LIMITATION OF COVERAGE FOR TERRORISM ON AN ANNUAL AGGREGATE BASIS
ALL 16541 (10/04)	DISCLOSURE OF PREMIUM FOR CERTIFIED ACTS OF TERRORISM COVERAGE (PURSUANT TO TERRORISM RISK ACT OF 2002)

Finally, we are providing you with copies of our policyholder disclosure notices, TR-19604c (01/08) and TRIA-15c (01/08) for informational purposes only.

We intend to make these changes effective 12/26/07 or the earliest date you will permit.

There is no rate impact associated with this change.

Text Comparison

Documents Compared

XS14777 01 08 _cap on losses_ (2).pdf - Adobe Acrobat Professional

ALL23684_ (cap on losses).pdf - Adobe Acrobat Professional

Summary

14 word(s) added

8 word(s) deleted

285 word(s) matched

6 block(s) matched

To see where the changes are, scroll down.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT ~~CAREFULLY.~~

CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM

This endorsement modifies insurance provided under the following:

EXCESS COMMERCIAL GENERAL LIABILITY POLICY

If aggregate insured losses attributable to terrorist acts certified under the federal Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.

"Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act. The criteria contained in the Terrorism Risk Insurance Act for a "certified act of terrorism" include the following:

1. The act resulted in insured losses in excess of \$5 million in the aggregate, attributable to all types of ~~insurance~~ subject to the Terrorism Risk Insurance Act; and
2. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is ~~committed~~ by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY

CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM

This endorsement modifies insurance provided under the following:

EXCESS COMMERCIAL GENERAL LIABILITY POLICY
CONTRACTUAL INDEMNIFICATION COVERAGE PART

If aggregate insured losses attributable to terrorist acts certified under the federal Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.

"Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act. The criteria contained in the Terrorism Risk Insurance Act for a "certified act of terrorism" include the following:

1. The act resulted in insured losses in excess of \$5 million in the aggregate, attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
2. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

Text Comparison

Documents Compared

TRIA11a.pdf - Adobe Acrobat Professional

TRIA 11b.pdf - Adobe Acrobat Professional

Summary

294 word(s) added

360 word(s) deleted

To see where the changes are, scroll down.

~~POLICYHOLDER DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE~~

Named Insured			Endorsement Number
Policy Symbol	Policy Number	Policy Period to	Effective Date of Endorsement
Issued By (Name of Insurance Company)			

Insert the policy number. The remainder of the information is to be completed only when this endorsement is issued subsequent to the preparation of the policy.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

~~You should be aware that under the Terrorism Risk Insurance Act (the Act), any losses resulting from certified acts of terrorism under your existing coverage may be partially reimbursed by the United States Government under a formula established by federal law (applicability is subject to the terms and conditions of each individual policy). The Act was specifically designed to address the ability of businesses and individuals to obtain property and casualty insurance for terrorism and to protect consumers by addressing market disruptions and ensure the continued availability of terrorism coverage.~~

~~Under the terms of the Act, you may now have the right to purchase insurance coverage for losses resulting from acts of terrorism. As defined in Section 102(1) of the Act: the term "act of terrorism" means any act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State, and the Attorney General of the United States to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of an air carrier or vessel or the premises of a United States mission; and to have been committed by an individual or individuals acting on behalf of any foreign person or foreign interest, as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.~~

~~Responsibility for Compensation under the Act is shared between insurance companies covered by the Act and the United States Government. Under the formula set forth in the Act, the United States Government pays 90% (95% in 2007) of covered terrorism losses exceeding the statutorily established deductible, which is paid by the insurance company providing the coverage.~~

~~We are providing you with the terrorism coverage required by the Act. The premium for the coverage is set forth below:~~

~~Terrorism Risk Insurance Act premium: \$ _____~~

~~Authorized Agent~~

DISCLOSURE PURSUANT TO TERRORISM RISK INSURANCE ACT

Named Insured			Endorsement Number
Policy Symbol	Policy Number	Policy Period to	Effective Date of Endorsement
Issued By (Name of Insurance Company)			

Insert the policy number. The remainder of the information is to be completed only when this endorsement is issued subsequent to the preparation of the policy.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

Disclosure Of Premium

In accordance with the federal Terrorism Risk Insurance Act, we are required to provide you with a notice disclosing the portion of your premium, if any, attributable to coverage for terrorist acts certified under the Terrorism Risk Insurance Act. The portion of your premium attributable to such coverage is shown in this endorsement or in the policy Declarations.

Disclosure Of Federal Participation In Payment Of Terrorism Losses

The United States Government, Department of the Treasury, will pay a share of terrorism losses insured under the federal program. The federal share equals 85% of that portion of the amount of such insured losses that exceeds the applicable insurer retention. However, if aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31), the Treasury shall not make any payment for any portion of the amount of such losses that exceeds \$100 billion.

Cap On Insurer Participation In Payment Of Terrorism Losses

If aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.

Terrorism Risk Insurance Act premium: \$ _____.

Authorized Agent

Text Comparison

Documents Compared

XS14778.pdf - Adobe Acrobat Professional

XS14778A_ (exclusion of certified acts of terrorism).pdf - Adobe Acrobat Professional

Summary

155 word(s) added

89 word(s) deleted

142 word(s) matched

5 block(s) matched

To see where the changes are, scroll down.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

EXCLUSION OF CERTIFIED ACTS OF TERRORISM

This endorsement modifies insurance provided under the following:

EXCESS COMMERCIAL GENERAL LIABILITY POLICY

A. The following exclusion is added:

This insurance does not apply to:

TERRORISM

~~Any injury or damage arising, directly or indirectly, out of "a certified act of terrorism".~~

B. ~~The following definition is added:~~

"Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act of 2002. ~~The federal Terrorism Risk Insurance Act of 2002 sets forth the following criteria for a "certified act of terrorism":~~

- ~~1. The act resulted in aggregate losses in excess of \$5 million; and~~
- ~~2. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals acting on behalf of any foreign person or foreign interest, as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.~~

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

EXCLUSION OF CERTIFIED ACTS OF TERRORISM

This endorsement modifies insurance provided under the following:

EXCESS COMMERCIAL GENERAL LIABILITY POLICY

A. The following exclusion is added:

This insurance does not apply to:

TERRORISM

"Any injury or damage" arising directly or indirectly out of a "certified act of terrorism"

B. The following definitions are added:

1. For the purposes of this endorsement, "any injury or damage" means any injury or damage covered under any Coverage Part to which this endorsement is applicable, and includes but is not limited to "bodily injury", "property damage", "personal and advertising injury", "injury" or "environmental damage" as may be defined in any applicable Coverage Part.
2. "Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act. The criteria contained in the Terrorism Risk Insurance Act for a "certified act of terrorism" include the following:
 - a. The act resulted in insured losses in excess of \$5 million in the aggregate, attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
 - b. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

Text Comparison

Documents Compared

XS14785.pdf - Adobe Acrobat Professional

XS14785a_(exclusion of punitive damages related to a certified act).pdf - Adobe Acrobat Professional

Summary

69 word(s) added

64 word(s) deleted

176 word(s) matched

4 block(s) matched

To see where the changes are, scroll down.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

EXCLUSION OF PUNITIVE DAMAGES RELATED TO A CERTIFIED ACT OF TERRORISM

This endorsement modifies insurance provided under the following:

EXCESS COMMERCIAL GENERAL LIABILITY POLICY

A. The following exclusion is added:

This insurance does not apply to:

TERRORISM PUNITIVE DAMAGES

Damages arising, directly or indirectly, out of a "certified act of terrorism" that are awarded as punitive damages.

B. The following definition is added:

"Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act of 2002. ~~The federal Terrorism Risk Insurance Act of 2002 sets forth the following criteria for a "certified act of terrorism":~~

- ~~1. The act resulted in aggregate losses in excess of \$5 million; and~~
2. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals ~~acting on behalf of any foreign person or foreign interest,~~ as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

EXCLUSION OF PUNITIVE DAMAGES RELATED TO A CERTIFIED ACT OF TERRORISM

This endorsement modifies insurance provided under the following:

EXCESS COMMERCIAL GENERAL LIABILITY POLICY

A. The following exclusion is added:

This insurance does not apply to:

TERRORISM PUNITIVE DAMAGES

Damages arising, directly or indirectly, out of a "certified act of terrorism" that are awarded as punitive damages.

B. The following definition is added:

"Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act. The criteria contained in the Terrorism Risk Insurance Act for a "certified act of terrorism" include the following:

1. The act resulted in insured losses in excess of \$5 million in the aggregate, attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
2. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.